



# Negotiation Bulletin

## ONTARIO / TEME-AUGAMA ANISHNABAI NEGOTIATIONS

First Issue

August 1992

### AN INTRODUCTION TO THE NEGOTIATION BULLETIN

*This and subsequent issues of the Negotiation Bulletin are among several tools that Ontario will use to inform interested parties about negotiations with the Teme-Augama Anishnabai on the Treaty of Co-Existence. We hope that this information will be helpful and encourage you to participate in the consultation process being administered by the Comprehensive Planning Council on behalf of the Ontario Government. I want to assure you that I am committed to gathering your concerns and integrating them in the positions that Ontario develops. To help Ontario develop its position in these negotiations, it is important that interested parties provide us with their views. For that reason, in this issue we are including Ontario's approach to negotiating a Treaty of Co-Existence with the Teme-Augama Anishnabai, some background material along with information about the cautions and the Municipal Advisory Group. There is also a questionnaire to provide us with some of your initial views and comments concerning the negotiations and the consultation process.*

If you require information about the negotiations, please contact my office at:

- (416) 314 - 2270 or Cathy Dwyer-Smith, Assistant Negotiator at  
(705) 569 - 2637 or write her at P.O. Box 422, Temagami, Ontario P0H 2H0.

If you would like more information about the consultation process, please contact Paul King-Fisher, Resource Co-ordinator for the Comprehensive Planning Council at (705) 569 - 2744 or write to Council at P.O. Box 189, Temagami, Ontario P0H 2H0

I hope you will find this newsletter useful, and I welcome your comments and suggestions.

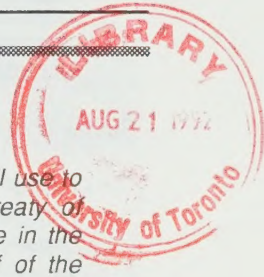
S. Barton Feilders  
Ontario's Chief Negotiator

### ONTARIO'S APPROACH TO NEGOTIATING A TREATY OF CO-EXISTENCE

#### Representative Resource Management

Ontario and the Teme-Augama Anishnabai have agreed to move into substantive negotiations towards a Treaty of Co-Existence. Ontario's approach to a Treaty of Co-Existence with the Teme-Augama Anishnabai includes a proposal for a new system of resource management in the Temagami and Timiskaming area. This proposal will be developed through public consultation and negotiations with the Teme-Augama Anishnabai.

The purpose of Ontario's proposal is to build consensus among residents of the area regarding the economic and social evolution of the area. Ontario believes that consensus can be reached through a new system of governance that includes a mandate to manage a portion of lands and natural resources in the area.





## **Representative Resource Management cont'd**

This new system of governance would have four major characteristics:

- *representative of the residents of the area, both aboriginal and non-aboriginal ;*
- *responsive to the views of other Ontarians with interests in these lands;*
- *accountable for ensuring lands under its jurisdiction are shared fairly; and*
- *accountable for developing the resources under its jurisdiction sustainably.*

Sustainable development means that:

- *rare or otherwise important ecosystems and biological diversity would be restored and conserved;*
- *all values would be respected, including landscape aesthetics, recreational opportunities, and tourism;*
- *current land uses should not compromise the ability of future generations to use the land; and*
- *all forms of life must be treated respectfully.*

### **Treaty of Co-Existence**

The Teme-Augama Anishnabai and Ontario have agreed to move directly into substantive negotiations of the Treaty of Co-Existence. The basis for Ontario's approach includes several elements. These include an area of land under the jurisdiction of Ontario; an area under the stewardship of the Teme-Augama Anishnabai; and an area under shared stewardship.

### **Shared Stewardship**

Ontario is proposing that the concept of shared stewardship be embodied in a new system of governance, over a portion of the areas 4,000 sq. miles, thus developing a new arrangement for the two governments to make decisions about lands and resource management. This can be achieved through a Treaty of Co-Existence that guarantees a role for the Teme-Augama in the new governing body.

### **Self-Government and Sole Stewardship**

Ontario's negotiation proposal also recognizes that the Teme-Augama Anishnabai must have responsibility for an area of sole stewardship which must be larger than the reserve on Bear Island. Ontario proposes that self-government by the Teme-Augama Anishnabai will require a territory in which they can exercise authority in decisions about land use, natural resources and community life.

Ontario believes that the involvement of the federal government is necessary in order to enable the Teme-Augama Anishnabai to exercise self-government.

### **Continuing Jurisdiction of Ontario**

Beyond Teme-Augama Anishnabai's sole stewardship land, and shared stewardship lands, Ontario will retain interest and authority over lands in the area. This is partly in recognition that the area has considerable economic, environmental, and recreational value for Ontarians throughout the province.

### **Other Categories of Land**

In addition to the above, there may be other categories of land in the area. For example, these may be lands for the purpose of generating revenue for governments in the area, including the Teme-Augama Anishnabai.

### **Transfer of Funds**

Ontario recognizes that it will need to transfer funds to Teme-Augama Anishnabai in order to support their progress toward self-government. Ontario may also need to transfer funds in order to resolve issues of legal liability, if any.

This funding might take the form of a cash settlement, deferred payments, lands, and a share in Ontario's revenue from the utilization of natural resources in the area.

Ontario's view is that the federal government must contribute to these costs, since they have breached their fiduciary obligation to the Teme-Augama Anishnabai.

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## **PUBLIC CONSULTATION**

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Formal and open consultation is planned to begin in early September on Ontario's approach to the Treaty of Co-Existence with the Teme-Augama Anishnabai. As part of this consultation, input will be sought on proposed changes to land and resource management in the Temagami and Timiskaming area.



### Responsibilities for Consultations

Ontario's Chief Negotiator is responsible for consulting the public. The Temagami Comprehensive Planning Council (CPC) will be facilitating and administering the public consultation process.

CPC was established as an advisory body by Mr. Wildman, Minister of Natural Resources and Minister of Responsible for Native Affairs, in May of 1991. Council has the primary mandate to recommend a land use and resource management plan for the Temagami area to the Minister by March 1994. It also was asked to provide advice on mechanisms for collecting input from the public on Treaty of Co-Existence negotiations between Ontario and TAA. In July, 1992 Mr. Wildman approved council's recommendations that it administer a process for consulting with the public on these negotiations.

#### Format of consultations

There will be three phases of consultation:

- Phase 1 -- Information and Awareness
- Phase 2 -- Identification and Detailed Discussion of Issues
- Phase 3 -- Finalization of Public Input

#### Public Meetings - Phase 1

September 3	Temagami, Temagami Arena
September 14	Sturgeon Falls, Public Library
September 16	Matachewan, Recreation Hall
September 18	North Bay, City Hall
September 22	Elk Lake, Royal Canadian Legion Hall
September 23	New Liskeard, Agricultural College
September 25	Latchford, Municipal Office

*Times for the various meetings will be posted in local newspapers and announced on local radio stations. For more details on the consultation process please contact the Comprehensive Planning Council.*

#### MUNICIPAL ADVISORY GROUP

The Municipal Advisory Group (MAG) represents officials of municipalities in the Temagami and

Timiskaming area. MAG advises Ontario on the effect of a Treaty of Co-Existence on municipalities. It provides input directly to Ontario's Chief Negotiator and receives funding from Ontario.

In June of 1992, MAG approached Ontario with a request to be directly included in the negotiations. MAG felt that this was necessary for it to assess the effects of a Treaty of Co-Existence and to provide Ontario with a continuous municipal perspective.

Ontario and the Teme-Augama Anishnabai agreed in late July of 1992 that representatives of MAG should be included in sidetable negotiations. Details are expected to be worked out as substantive negotiations begin.

Membership in MAG is drawn from the Timiskaming Municipal Association and the West Nipissing Municipal Association. Members are Roy Scott, Mayor of Cobalt; Terry Fiset, Reeve of James; Tom Depres, Mayor of Haileybury; George Lefebvre, Mayor of Latchford; Gerry Bernatchez, Chairman of Matachewan; Charles Caldwell, Mayor of New Liskeard; Ivan Beauchamp, Reeve of Temagami; and Mike DeCaen, Mayor of Sturgeon Falls, Jim O'Brien, Township of Coleman.

#### LAND CAUTIONS

Negotiations on the Treaty of Co-Existence and public consultation will include issues of jurisdiction in a 4,000-square-mile territory in the Temagami and Timiskaming area. Ontario's position is that most of these lands are public lands that belong to all Ontarians. In contrast, the Teme-Augama Anishnabai say that they have not signed or otherwise accepted any agreement or treaty that surrendered any of their interests in these lands.

In 1973, to support the Teme-Augama Anishnabai land claim, the Bear Island Foundation registered cautions under the Land Titles Act on 110 townships in the land claim area. Since then, the cautions have been a major obstacle to economic activity in the area.

Ontario eventually challenged the cautions and Ontario's Director of Titles ruled in three decisions that the cautions be lifted. Through 1977 and 1978, the Teme-Augama Anishnabai appealed these decisions to the District Court.



## Land Cautions cont'd

The appeals case was eventually adjourned pending the result of the separate land claim case, which proceeded through the courts, and eventually led to the August 1991 Supreme Court of Canada's decision. The appeals have the practical effect of cautions and will continue to do so until they are dealt with.

### Supreme Court of Canada findings

The separate land claim case was decided by the Supreme Court of Canada in August of 1991. The court found that aboriginal title to the land under caution had been extinguished. The court also found that the Crown had failed to comply with some of its obligations under the Robinson-Huron Treaty of 1850, and thereby breached its fiduciary obligation to the Teme-Augama Anishnabai.

While the court's decision resolved the issue of aboriginal title, it did not close the case of the appeals involving the cautions. Several legal observers believe that the appeals can only be closed if the Teme-Augama Anishnabai voluntarily lift these, or by a court.

After the Supreme Court of Canada delivered its findings, Ontario decided not to resolve the issue of the cautions unilaterally. Instead, Ontario sought the Teme-Augama Anishnabai's agreement to abandon their appeals. Ontario cites several reasons for this decision.

- *Acting unilaterally will presumably involve more lengthy litigation.*
- *Prior to the Supreme Court of Canada decision, Ontario and the Teme-Augama Anishnabai agreed to work toward a Treaty of Co-Existence. This agreement commits Ontario to make best efforts to negotiate issues of jurisdiction over lands, rather than act unilaterally.*
- *The Court's finding that the Crown had breached its obligations to the Teme-Augama Anishnabai is possible grounds for compensation. Ontario wants to resolve this issue through the Treaty of Co-Existence. Acting unilaterally to close the cautions would jeopardize the working relations required between Ontario and the Teme-Augama Anishnabai to negotiate this Treaty of Co-Existence.*

- *The Teme-Augama Anishnabai have aboriginal and treaty food harvesting rights. Ontario wants to negotiate an agreement with the Teme-Augama Anishnabai that enables them to exercise these constitutional rights in ways that are consistent with Ontario's conservation and public safety policies.*

### Preliminary Negotiations

The Supreme Court of Canada delivered its findings during preliminary negotiations between Ontario and the Teme-Augama Anishnabai. The purpose of preliminary negotiations was to establish a framework which included an agenda and timetable for substantive negotiations of the Treaty of Co-Existence. Ontario also sought the Teme-Augama Anishnabai's agreement to lift the caution and establish interim arrangements as part of this framework, to provide for economic activity and to protect the interests of the Teme-Augama Anishnabai during the substantive negotiations.

By December of 1991, the two parties had agreed to most points that were preliminary to substantive negotiations. They had reached an impasse, however, over the interim arrangements regarding lands under the caution.

### Appointment of a Facilitator

In January of 1992, Ontario and the Teme-Augama Anishnabai appointed a facilitator to advise them on how to resolve the remaining preliminary issues. In March of 1992, the facilitator proposed a draft framework agreement that was acceptable to Ontario. The Teme-Augama Anishnabai Executive Council later rejected the draft.

In May of 1992, the facilitator confirmed that the Teme-Augama Anishnabai regard their position on the cautions as non-negotiable. The facilitator recommended a review panel mechanism if substantive negotiations are to proceed with the cautions remaining in effect. Ontario eventually accepted this recommendation.

Requests from applicants for release from the cautions will be reviewed on a case-by-case basis. The review panel will include two members appointed by Ontario and two members appointed by the Teme-Augama Anishnabai with the facilitator as the chair.



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## TEME-AUGAMA ANISHNABAI FOOD HARVESTING RIGHTS

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A Treaty of Co-existence between Ontario and the Teme-Augama Anishnabai will include a provision regarding the Teme-Augama Anishnabai's food harvesting rights. Ontario takes the position that these are constitutional rights. The following explanation is not intended to be a comprehensive review of either the provisions of our constitution or Supreme Court of Canada decisions. It is merely intended to provide you with some appreciation of the legal environment in which negotiations and consultations must be conducted.

### Constitutional Rights

Aboriginal and treaty rights are legal rights of Canada's first peoples. Section 35(1) of the Constitution Act, 1982 states ... "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed".

Because the Constitution of Canada is the supreme law of the land, any federal or provincial legislation that interferes with a constitutional right must be resolved in favour of that constitutional right, subject to conditions discussed later in this article.

### Sparrow Decision

In May of 1990, the Supreme Court of Canada, in the Sparrow decision, interpreted Section 35(1) of the Constitution. In this case, the Supreme Court of Canada, for the first time considered the meaning of the constitutional recognition and protection of aboriginal and treaty rights. The Sparrow case involved aboriginal rights to fish for food for personal consumption or ceremonial use. Ronald Sparrow is a member of the Musqueam Indian Band in British Columbia who was charged under the Fisheries Act.

The Court indicated that the recognition and affirmation of aboriginal rights in the Constitution provides a solid base for negotiations about aboriginal rights, and "requires sensitivity to and respect for the rights of aboriginal peoples on behalf of the government, courts and indeed all Canadians". The court said that it is "crucial to be sensitive to the aboriginal perspective itself on the meaning of the rights at stake".

The court also indicated that legal charges and the resulting trials are probably not the best place to determine whether an aboriginal right exists.

The Court found that aboriginal and treaty rights have constitutional status and priority. As such, they ordinarily take precedence over federal or provincial laws that are inconsistent with these rights, unless these laws can be justified on grounds such as conservation, public safety or other "compelling legislative objectives".

The Supreme Court of Canada also established a set of priorities for fisheries. The Court decided that the first priority was to protect enough fish to conserve a stock. The next priority was the food requirements of people with a treaty or aboriginal right to harvest the stock. The remainder, if any, could be allocated for sport and commercial uses.

Because decisions of the Supreme Court of Canada are binding on all other courts in the land, the rules and principles in the Sparrow decision have become part of Canadian law. Ontario believes, therefore, that the decision should be applied to the exercise of aboriginal hunting and fishing rights.

### Robinson - Huron Treaty of 1850

In another of the Supreme Court of Canada's findings, delivered in August of 1991, the Court found that the Teme-Augama Anishnabai's food harvesting rights were acknowledged by terms of the Robinson Huron Treaty of 1850. The Treaty guaranteed that aboriginal groups would continue to enjoy their aboriginal hunting and fishing rights. As the treaty put it, they would have "full and free privilege to hunt over the territory now ceded by them, and to fish in the waters as they have heretofore been in the habit of doing".

Given the nature of the information above, Ontario takes the position that the Teme-Augama Anishnabai's food harvesting rights should be recognized in the terms of a Treaty of Co-Existence.



## TREATY OF CO-EXISTENCE: CHRONOLOGY

*The following is an abbreviated chronology of events relating to the Treaty of Co-Existence.*

### Cautions and Appeals

In 1973, the Bear Island Foundation filed "cautions" under the Land Titles Act on 110 townships that were part of the 4,000 square miles they claimed as aboriginal title i.e. traditional homeland (referred to as n'Daki Menan by the Teme-Augama Anishnabai). The cautions were based on the conviction that they had not surrendered their land under the Robinson-Huron Treaty of 1850.

In 1977/78, there were three attempts by the Bear Island Foundation (TAA) to renew the cautions that were refused by Ontario's Director of Titles. These refusals were subsequently appealed by the TAA to the District Court. The appeals have the practical effects of the cautions themselves. In 1978, Ontario initiated litigation against the TAA on the basis that the lands in question are public lands and not subject to aboriginal title.

The appeals involving the cautions were adjourned pending the result of the above legal action (see, "Supreme Court", below). Because the appeals were adjourned without a decision, the appeals remain in effect until disposed of.

### Settlement Offers

Ontario presented offers of settlement to the Teme-Augama Anishnabai in 1986, and again in 1989. Both offers were essentially based on compensating the Teme-Augama Anishnabai for entitlements outstanding from the Robinson-Huron Treaty of 1850. The Teme-Augama Anishnabai rejected these offers as inappropriate on the grounds that they or their ancestors had not signed this treaty.

### The Memorandum of Understanding and Addendum

In April of 1990, Ontario and the Teme-Augama Anishnabai signed a Memorandum of Understanding (MOU) that committed both parties to three goals:

- *to negotiate a Treaty of Co-Existence;*
- *during the period of negotiations, share responsibility for land and resource management in Acadia, Canton, Delhi, and Shelburne townships, in order to evaluate a model for shared stewardship; and,*

- *as a further interim measure, agree to a bi-lateral process that would allow the Teme-Augama Anishnabai to examine timber management plans for the other townships under caution, and recommend modifications.*

In May of 1991, Mr. Wildman, and the two chiefs of the Teme-Augama Anishnabai signed an Addendum to the MOU. The Addendum established the *Wendaban Stewardship Authority*, a joint body of the two parties, with responsibility for land use and resource planning and management in Acadia, Canton, Delhi, and Shelburne townships.

### Comprehensive Planning Council

In May of 1991, The Minister of Natural Resources established a local Comprehensive Planning Council (CPC) in Temagami. The primary mandate of the council is to recommend a land use and resource management plan for the Temagami area to the Minister by March 1994. The CPC takes a holistic approach to resource management planning and ensures that all planning for parks, tourism, timber harvesting and renewal, fisheries and wildlife, mining and culture will be done at the same time.

### Supreme Court of Canada Finding

The legal action initiated in 1978 (see, "Cautions and Appeals" above) was eventually heard by the Supreme Court of Canada. The Court delivered its findings in August of 1991, after Ontario and the Teme-Augama Anishnabai had signed the MOU.

The court found that the Teme-Augama Anishnabai had adhered to the Robinson-Huron-Treaty of 1850, and that aboriginal title to the lands under caution had been extinguished. The court also found that the Crown had failed to comply with some of its obligations under the Robinson-Huron Treaty of 1850, and thereby breached its fiduciary or "trust" obligation to the Teme-Augama Anishnabai. The court did not state specifically whether these obligations were the responsibility of Canada or Ontario.

While the court's decision resolved the issue of aboriginal title, it did not close the case involving the appeals. Several legal observers believe that the appeals can only be closed if the Teme-Augama Anishnabai voluntarily lift these as well, or by a court.



## Preliminary Negotiations

The Supreme Court of Canada delivered its findings in August of 1991, while Ontario and the Teme-Augama Anishnabai were discussing matters that were preliminary to substantive negotiations of the Treaty of Co-Existence. Preliminary issues included an agenda and timetable for negotiations (referred to as a framework agreement). During this phase, Ontario sought the Teme-Augama Anishnabai's agreement to lift the caution and establish interim arrangements that would have enabled economic activity to proceed.

By December of 1991, the two parties had agreed to most points that were preliminary to substantive negotiations. They reached an impasse, however, over the interim arrangements regarding lands under the caution.

## Appointment of a Facilitator

In January of 1992, Ontario and the Teme-Augama Anishnabai appointed a facilitator to advise them on how to resolve the remaining preliminary issues.

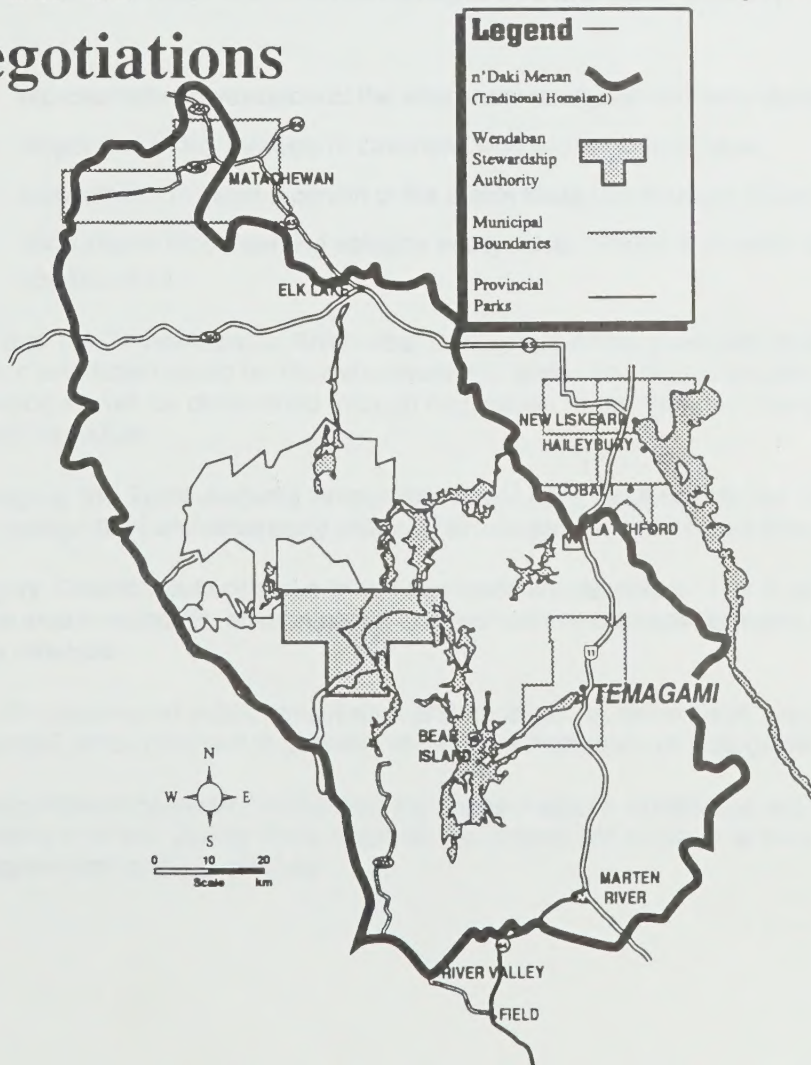
In March of 1992, the facilitator proposed a draft framework agreement that was acceptable to Ontario. The Teme-Augama Anishnabai later rejected the draft.


In May of 1992, the facilitator confirmed that the Teme-Augama Anishnabai's position on the cautions is non-negotiable. The facilitator recommended a review panel mechanism if substantive negotiations are to proceed with the cautions in effect.

In August of 1992, Ontario accepted the recommendation for a review panel. On this basis, Ontario and the Teme-Augama Anishnabai agreed to enter into substantive negotiations.

Requests from applicants for release from the cautions will be reviewed on a case-by-case basis. ■■■■

## Area of Negotiations





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August 17, 1992

**Dear Reader:**

Bud Wildman, Ontario's Minister of Natural Resources, and Minister Responsible for Native Affairs, has announced a major proposal for the Temagami and Timiskaming area. The articles in the attached bulletin will provide you with more detail. In this letter I will highlight some of the key points for your consideration.

Mr. Wildman has announced Ontario's approach to negotiating a Treaty of Co-Existence with the Teme-Augama Anishnabai. This approach includes a broad initiative to develop a new system of resource management for the area. In this proposed system, the area's lands and resources would be segmented into several categories.

In one category, lands and resources would be managed by a new governing body. This governing body would be:

- representative of residents of the area, both aboriginal and non-aboriginal
- responsive to the interests of Ontarians who live outside the area
- mandated to manage a portion of the area's lands and develop natural resources, and
- accountable for conserving valuable ecosystems, biological diversity and recreational opportunities.

To the extent that the Teme-Augama Anishnabai participate in this governing body, lands under this governing body's jurisdiction would be shared stewardship lands. The degree to which the Teme-Augama Anishnabai participate will be determined through negotiation of the Treaty of Co-Existence, and open consultation with the public.

In another category, the Teme-Augama Anishnabai would have responsibility for decisions about land use, resource management and community affairs. This category might be called sole stewardship lands.

In a third category, Ontario would continue to manage lands and resources. This is partly in recognition of the fact that the area's economic, environmental and recreational character is highly valued by Ontarians throughout the province.

Depending on the progress of public consultation and negotiations, there might also be other categories of land: for example, lands reserved to generate revenue for institutions of local government in the area.

Substantive negotiations between Ontario and the Teme-Augama Anishnabai will begin with the land cautions remaining in effect. During these negotiations, Ontario will continue to seek the Teme-Augama Anishnabai's agreement to lift the cautions.



A joint panel will review requests from applicants for release from any cautions that remain in effect during the negotiations. Each case would be judged on its own merits. In some cases, for some individuals, businesses and municipalities, the review panel could provide relief.

Ontario and the Teme-Augama Anishnabai have agreed that mayors and reeves of municipalities in the area will be directly included in sidetable negotiations, that will provide a forum for the Municipal Advisory Group to represent local municipal interests in the negotiations.

I am hopeful that Ontario's approach will get a positive reaction from residents of the area and others who believe that the existing system of resource management should be improved. I also expect that a number of people will have concerns about the effects of these changes.

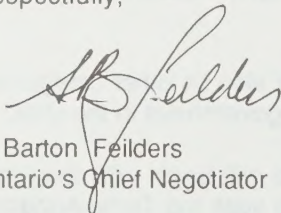
I want to assure you that I am committed to listening to your concerns and integrating them into the positions that Ontario develops. These changes will only work to the extent that they meet broad public acceptance, understanding and support. I recognize that obtaining this acceptance will depend on Ontario's ability to demonstrate that it has consulted the public extensively, and considered public input meaningfully.

Open, public consultation will begin very soon. I am directly responsible for this process, and the Comprehensive Planning Council (CPC) has agreed to administer the consultation process. I have enclosed a letter from Dr. Roman Brozowski, Chair of CPC, which outlines the consultation process in detail. I urge you to read this letter very thoroughly and note the dates of the various meetings near your community.

Public consultation will take place at the same time as Ontario negotiates the Treaty of Co-Existence with the Teme-Augama Anishnabai. This can ensure that public input is built into this Treaty "from the ground up".

As I mentioned earlier, several other important details are outlined in the articles that follow. I urge you to read them and to contact Cathy Dwyer-Smith, Assistant Negotiator who works out of my office in Temagami or myself, if you have any questions about negotiations. If you would like more information about the consultation process, please contact the Comprehensive Planning Council at (705) 569-2744. Thank you for your interest.

Respectfully,



S. Barton Feilders  
Ontario's Chief Negotiator





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August 17, 1992

**Dear Members of the Public:**

The Comprehensive Planning Council (CPC) is a 13-member citizens' advisory committee to Natural Resources Minister Bud Wildman which was established in May, 1991. Council has the primary mandate to recommend a land use and resource management plan for the Temagami area to the Minister by March, 1994. It also was asked to provide advice on mechanisms for collecting input from the public on the Treaty of Co-existence negotiations between Ontario and the Teme-Augama Anishnabai.

In July, 1992, Bud Wildman approved council's recommendation that it administer a process for consulting with the public on these negotiations. CPC will perform this task on behalf of the Ontario Government. Council is committed to administering a fair, open, legitimate public consultation process in a neutral and impartial manner.

The process that council has developed contains three phases:

- **Phase I** - Information and Awareness
- **Phase II** - Identification and Detailed Discussion of Issues
- **Phase III** - Finalization of Public Input

Public input will be collected and recorded by council using a variety of means: questionnaires, correspondence, telephone consultations, public meetings, and meetings with interest groups. The meetings will be a key mechanism for collecting input. I, as Chair of CPC, will chair these meetings and will be accompanied by four members of council and support staff. The Chief and Assistant Negotiators will be present to represent the interests of the Ontario Government. It is anticipated that staff of Ontario Native Affairs Secretariat will attend to respond to questions of policy in relation to native affairs.

**PHASE 1 - INFORMATION AND AWARENESS**

This focus of Phase I is upon generating awareness of the Treaty of Co-existence negotiations, the consultation process, and informing the public as to Ontario's rationale for engaging in the negotiations. Please read the materials prepared by Ontario in this package. If you have any comments or questions, please contact the individuals listed below. Also attached is a questionnaire that I invite you to complete and return.

In September, council will host meetings in the following communities:

<b><i>Temagami</i></b>	Temagami Arena	September 3
<b><i>Sturgeon Falls</i></b>	Public Library	September 14
<b><i>Matachewan</i></b>	Recreation Hall	September 16
<b><i>North Bay</i></b>	City Hall	September 18
<b><i>Elk Lake</i></b>	Royal Canadian Legion Hall	September 22
<b><i>New Liskeard</i></b>	Agricultural College	September 23
<b><i>Latchford</i></b>	Municipal Office	September 25



The public meetings are scheduled to run from 7 - 10 p.m. and will be advertised in area newspapers and on local radio stations. Interest groups are invited to contact council if they wish to arrange individual meetings. A video camera will be used along with microphones to record public input. All input collected by council in the questionnaires, correspondence, telephone consultations, public and interest group meetings will become part of the public record unless privacy is requested.

The input collected in Phase I will be made available to Ontario's negotiators so that they can draft a second bulletin which summarizes the public record, and based upon the input received, incorporate some of this into the elements of Ontario's proposed approach to co-existence.

## **PHASE 2 - DETAILED DISCUSSION OF ISSUES**

The focus of Phase 2 will be upon discussing the issues identified during Phase I in detail. The second bulletin will be mailed out in late Fall, 1992. Again the public will be invited to participate, and to contact council and the negotiators with their comments and questions.

The Phase 2 public meetings will commence in early Winter, 1993. The times and locations for these meetings have yet to be determined. A workshop format will be used for the meetings, with a video camera and microphones to be used to record group reports. The input received by council in this phase will again be made available to Ontario's negotiators so that they can again re-draft the elements of the province's proposed approach to co-existence.

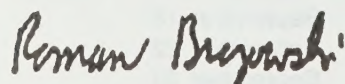
## **PHASE 3 - FINALIZATION OF PUBLIC INPUT**

Phase 3 will commence with the distribution of a third bulletin in early Spring, 1993. This bulletin will summarize the comments received in Phase 2, and present the revised elements of Ontario's proposed approach to co-existence. The purpose of this phase is to finalize the public's and interest groups' comments on the proposed approach to co-existence before these are transmitted by council to the Minister and Chief Negotiator. Again, public meetings will be held in area communities, with the times and locations to be determined.

## **WHO DO I CONTACT IF I HAVE QUESTIONS OR COMMENTS?**

If you have any questions about CPC's consultation process or wish to provide input, call council's Resource Co-ordinator, Paul King-Fisher, at (705) 569-2744. If you have any questions and comments about Ontario's position, please call Cathy Dwyer-Smith at (705) 569 - 2637. Questions on law and policy affecting native people in Ontario should be directed to the Ontario Native Affairs Secretariat at (416) 314 - 4740. Again, I invite you to complete and return the attached questionnaire. Thank you.

Sincerely yours,



Dr. Roman Brozowski  
Chair



## PUBLIC CONSULTATION ON TREATY OF CO-EXISTENCE NEGOTIATIONS

Dear Members of the Public:

As part of Treaty of Co-Existence negotiations between Ontario and the Teme-Augama Anishnabai, the Comprehensive Planning Council (CPC) is administering a consultation process to collect and record the views of the public. The purpose of Phase 1 is to raise awareness of and inform the public about these negotiations. This is the first of many opportunities which you will have to express your views. Please read the enclosed materials, and complete and return this questionnaire. If you have any questions, please do not hesitate to contact council at (705) 569-2744.

Dr. Roman Brozowski  
Chair

The purpose of the Treaty of Co-Existence is to provide the foundation for a peaceful, harmonious relationship between Ontario and the Teme-Augama Anishnabai.

1. What do you think of Ontario's proposed approach to co-existence with the Teme-Augama Anishnabai? What elements do you agree with? What elements do you not agree with?

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2. Earlier this year, the Teme-Augama Anishnabai released a "Vision of Co-Existence." What elements do you agree with? What elements do you not agree with? (If you are not aware of this release, copies may be requested from the Teme-Augama Anishnabai's Negotiations Unit at (705) 237-8933.)

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3. What elements do you think should be contained in the Treaty of Co-Existence?

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4. Do you have any other comments? (Please attach a separate page with your comments if necessary.)

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(Optional)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

This information is collected under the authority of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chap. F.31, to assist the Government of Ontario in developing a proposed approach to co-existence with the Teme-Augama Anishnabai. **All comments will become part of the public record unless privacy is requested.**

Remarque: Version française disponible



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Ontario

**Comprehensive  
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**Conseil de  
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globale**

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